

Message Text

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ORIGIN EB-03

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CUSTOMS - V. HANN

TREASURY - CLAWSON

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R 091905Z OCT 74

FM SECSTATE WASHDC

TO AMEMBASSY NASSAU

INFO AMCONSUL HAMILTON

AMEMBASSY OTTAWA

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E.O. 11652: N/A

TAGS: EAIR, BF

SUBJECT: CIVAIR - PRECLEARANCE

REF : NASSAU 1652 (NOTAL)

1. REGARDING QUESTION IN REFTTEL PARA 2.A, THE TREASURY
FY 1975 APPROPRIATION HAS BEEN ENACTED AND AUTHORIZES
FUNDS FOR PRECLEARANCE RENTAL OF UP TO 150 THOUSAND
DOLLARS. WITH REGARDS TO QUESTION IN PARA C.1, NEITHER
BERMUDA NOR CANADA HAVE RECEIVED FUNDS FOR PRECLEARANCE
UNDER EITHER FY 74 OR FY 75 APPROPRIATIONS.

2. BEGIN FYI: EMBASSY SHOULD EXERCISE PARTICULAR CARE
IN RESPONDING TO GCOB ON QUESTIONS IN PARA 2.B AND 2.C.2.
IN ADDITION TO THE LEGAL POLICY PROBLEMS TO WHICH REFERENCE
HAS BEEN MADE, EMBASSY SHOULD BE AWARE THAT OMB, AS
PART OF THE ADMINISTRATION'S EFFORTS TO CHECK INFLATION
BY REDUCING GOVERNMENT SPENDING, HAS WITHDRAWN PORTIONS
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OF AGENCY APPROPRIATIONS AND IMPOSED OUTLAY RESTRICTIONS

FOR FY 1975. THIS COULD MAKE IT IMPOSSIBLE FOR TREASURY TO SPEND PART OR ALL OF THE AMOUNT AUTHORIZED FOR PRECLEARANCE RENTAL. NO DECISION HAS BEEN MADE TO DATE. IN ADDITION, EMBASSY SHOULD BE AWARE THAT A PRECLEARANCE RENTAL AGREEMENT WITH BERMUDA HAS BEEN UNDER CONSIDERATION WHICH COULD PROVIDE IT WITH UP TO ONE-QUARTER THE TOTAL AMOUNT APPROPRIATED OR 25,000 DOLLARS WHICHEVER IS LESS, REDUCED BY THAT PROPORTION

OF FY 75 DURING WHICH THE AGREED UPON FACILITIES WERE NOT AVAILABLE TO U.S. INSPECTION OFFICERS. SHOULD THIS OR ANOTHER AGREEMENT WITH BERMUDA BE APPROVED WITHIN THE UNITED STATES GOVERNMENT, A SIMILAR AGREEMENT WILL BE OFFERED TO THE GCOB AT APPROXIMATELY THE SAME TIME AS A FORMAL OFFER IS MADE TO THE GOVERNMENT OF BERMUDA. PRESENT THINKING IS THAT SUCH AN AGREEMENT WOULD TAKE THE FORM OF A CUSTOMS OR TREASURY CONTRACT FOR RENT AND WOULD NOT MODIFY THE INTERGOVERNMENTAL AGREEMENT ON PRECLEARANCE. FINALLY, WE WOULD POINT OUT THAT THE RESULT OF SUCH AN AGREEMENT AS DESCRIBED ABOVE WOULD NOT NECESSARILY PROVIDE IDENTICAL AMOUNTS TO BERMUDA AND THE BAHAMAS ALTHOUGH THE SAME PRINCIPLES WOULD BE APPLIED IN A NONDISCRIMINATORY MANNER. ALSO, SINCE THE SITUATION IN CANADA WITH SEVERAL PRECLEARANCE POINTS ON BOTH SIDES OF THE BORDER IS SO DIFFERENT FROM THAT IN BERMUDA OR THE BAHAMAS, AND SINCE THE CANADIAN GOVERNMENT HAS NOT YET ASKED FOR FUNDS, WE CAN NOT GIVE ASSURANCES IN RESPECT TO COMPARABILITY OF AGREEMENTS WITH CANADA AS COMPARED WITH THE OTHER TWO JURISDICTIONS. END FYI.

3. EMBASSY IN RESPONSE TO QUERIES IN REFTEL 2.B AND 2.C.2 SHOULD INDICATE THAT NO DECISION HAS BEEN MADE ON PRECLEARANCE RENTAL FOR FY 1975. THE TREASURY APPROPRIATION DOES NOT REQUIRE USE OF A PARTICULAR SUM FOR PRECLEARANCE RENTAL AND IN REACHING A DECISION ON THIS MATTER, TREASURY MUST BALANCE OTHER URGENT REQUIREMENTS FOR ITS AVAILABLE FUNDS INCLUDING INCREASED STAFFING OF PRECLEARANCE POINTS. THE GCOB MAY BE ASSURED THAT THE PRINCIPLES ON WHICH ANY AGREE-LIMITED OFFICIAL USE

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MENT MAY BE REACHED WITH BERMUDA IN RESPECT TO PRECLEARANCE RENTAL WILL BE APPLIED WITHOUT DISCRIMINATION TO THE BAHAMAS.

4. INFORMATION ADDRESSEES SHOULD NOTE THAT PARA 2 ABOVE IS APPLICABLE TO THEM. WE DO NOT KNOW WHEN TREASURY DECISION ON THIS MATTER WILL BE FORTHCOMING, BUT WILL KEEP POSTS INFORMED OF DEVELOPMENTS. INGERSOLL

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